

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RONALD A. NOEL,
(TDCJ-CID #1774765)

Plaintiff,

vs.

ADRIAN GARCIA, *et al.*,

Defendants.

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CIVIL ACTION H-11-3987

MEMORANDUM ON DISMISSAL

The plaintiff, Ronald A. Noel, a former inmate of the Texas Department of Criminal Justice - Correctional Institutions Division (“TDCJ-CID”), filed this civil rights action *in forma pauperis*. Noel alleged civil rights violations during his incarceration in the Harris County Jail. Noel filed a motion for a temporary restraining order, (Docket Entry No. 15), on March 6, 2013. On-line research reveals that Noel is no longer in the custody of the TDCJ-CID. The court has learned through telephone inquiry that he was released to mandatory supervision on June 6, 2013.

Under Local Rule 83.4, a *pro se* litigant is responsible for keeping the Clerk of Court advised, in writing, of his current address. This court previously instructed Noel that he “must notify the court of any change of address by filing a written notice of change of address with the Clerk of Court. Failure to file such notice may result in this case being dismissed for want of prosecution.” (Docket Entry No. 5, p.2). Noel has failed to provide the court with an accurate, current address. Dismissal for want of prosecution is appropriate. *See* FED. R. CIV. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995); 8 J. MOORE ET

AL., MOORE'S FEDERAL PRACTICE § 41.51(3)(b) & (e) (3d ed. 2013). Relief from this order may be granted on a proper showing under FED. R. CIV. P. 60(b).

This action is dismissed without prejudice for want of prosecution. Noel's motion to supplement complaint, (Docket Entry No. 13), and motion for temporary restraining order, (Docket Entry No. 15), are denied without prejudice as moot.

SIGNED on August 20, 2013, at Houston, Texas.

A handwritten signature in black ink, appearing to read 'Lee H. Rosenthal', is written over a horizontal line.

Lee H. Rosenthal
United States District Judge